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25 **UNITED STATES DISTRICT COURT**

26 **DISTRICT OF NEVADA**

27 THE BANK OF NEW YORK MELLON
28 TRUST COMPANY,

Plaintiff,

vs.

CHICAGO TITLE INSURANCE
COMPANY et al.,

Defendants.

Case No.: 2:20-cv-01394-JCM-BNW

**STIPULATION AND ORDER TO
EXTEND TIME PERIOD TO
RESPOND TO COMPLAINT [ECF No.
1]**

[FIFTH REQUEST]

COMES NOW defendant Chicago Title Insurance Company (“Chicago Title”) and
plaintiff The Bank of New York Mellon Trust Company (“BONY”), by and through their
respective attorneys of record, which hereby agree and stipulate as follows:

1. On July 27, 2020 BONY filed its complaint in the instant action. (ECF No. 1.);
2. On August 21, 2020, the Court granted the Parties’ stipulation to extend Chicago

1 Title's deadline to respond to the Complaint (ECF No. 10.);

2 3. On September 22, 2020, the Court granted the Parties' second stipulation to extend
3 Chicago Title's deadline to respond to the Complaint (ECF No. 16);

4 4. On October 7, 2020, the Court granted the Parties' third stipulation to extend
5 Chicago Title's deadline to respond to the Complaint (ECF No. 20);

6 5. On October 20, 2020, the Court granted the Parties' fourth stipulation to extend
7 Chicago Title's deadline to respond to the Complaint (ECF No. 25);

8 6. Chicago Title's current deadline to respond to the Complaint is November 20,
9 2020;

10 7. The Parties are currently engaged in settlement negotiations, and one Party is
11 currently considering the other Party's settlement offer;

12 8. Chicago Title requests a three-week extension of its deadline to respond to
13 BONY's complaint, until December 11, 2020, so that neither party is forced to incur additional
14 fees relating to the defense of this action while the Parties are pursuing informal resolution of this
15 dispute;

16 9. By entering into this stipulation Chicago Title does not waive any potential
17 defenses under Fed. R. Civ. P. 12;

18 10. BONY does not oppose the requested extension;

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11. This is the fifth request for an extension which is made in good faith and not for purposes of delay;

IT IS SO STIPULATED that Chicago Title's deadline to respond to the complaint is hereby extended through and including December 11, 2020.

Dated: November 17, 2020

SINCLAIR BRAUN LLP

By: /s/-Kevin S. Sinclair
KEVIN S. SINCLAIR
Attorneys for Defendants
CHICAGO TITLE INSURANCE COMPANY

Dated: November 17, 2020


WRIGHT FINLAY & ZAK, LLP

By: /s/-Lindsay D. Robbins
LINDSAY D. ROBBINS
Attorneys for Plaintiff
THE BANK OF NEW YORK MELLON
TRUST COMPANY

IT IS ORDERED that the parties' stipulation is GRANTED. However, the parties are instructed that this is their final extension. The parties should either settle this dispute or or defendant must file a responsive pleading on December 11, 2020.

IT IS SO ORDERED

DATED: 4:58 pm, November 20, 2020


BRENDA WEKSLER
UNITED STATES MAGISTRATE JUDGE